

MINUTES

ALCOHOL AND TOBACCO COMMISSION

JANUARY 6, 2026

CALL TO ORDER/NOTING OF QUORUM

Chairwoman Allen called the meeting to order and noted the quorum and the attendance. Commissioner Maginn, Commissioner Jones, Prosecutor Wignall, General Counsel Beaucaire and Senior Attorney Daphne Whitmire were in attendance.

DISPOSITION OF MINUTES

Commissioner Jones moved to approve the minutes from the December 16, 2025 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Commissioner Jones moved to approve the Parties' Agreed Dispositions, submitted by Prosecutor Wignall. Sixty-eight dispositions were submitted with fines totaling \$56,700.00. Commissioner Maginn seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

No Hearing Judge's Recommendations

CONSIDERATION OF APPLICATIONS

Chairwoman Allen asked the Commission to add permit #RR53-36368 to the list of renewals by consent. Consent was granted.

Commissioner Jones moved to approve and incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of the same, pending any escrow hearings, and the inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Jones moved to approve and incorporate by reference these lists of permit applications for a new permit or application for changes in location, ownership, or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same, pending final floor plan approval by the Indiana State Excise Police and escrow, if needed, and inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Jones moved to approve the catering applications. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Jones moved to approve the direct wine shipper applications. Commissioner Maginn seconded. The motion was unanimously approved.

WAIVERS OF FEES – LETTERS OF EXTENSION

Commissioner Maginn moved to approve the fee-waived letters of extension that were issued the preceding weeks. Commissioner Jones seconded. The motion was unanimously approved.

ITEMS FOR DISCUSSION

RR84-39350 PLAY PEN INC. – Chairwoman Allen noted this is on for a remand request.

Commissioner Maginn stated the renewal was approved by the local board without hearing the violation.

Commissioner Maginn moved to remand the renewal and grant a 90-day, fee-waived extension. Commissioner Jones seconded. The motion was unanimously approved.

RR23-42705 THE HIDDEN LYRIC, INC. – Chairwoman Allen noted this is a transfer with the local board voting 3-0 to deny.

Commissioner Maginn stated there are two businesses at this location sharing space. To get to the bar, you must pass through the co-mingled space and drinks are passed through the space, as well, which is not allowed.

Commissioner Maginn moved to uphold the local board's recommendation to deny the transfer and have Excise check to see how the business is currently operating. Commissioner Jones seconded.

Commissioner Jones stated it sounds like the business has been operating this way for a while. The buyer did not seem to be aware the business was not operating properly.

Chairwoman Allen noted the business was allowing carry-out from the bar and carry-in into the shared space. The local board was clear that the denial was not based on the character of the buyer, just the operation of the bar by the seller.

The motion was unanimously approved.

RR02-41719 PEANUTS LLC – Chairwoman Allen noted this is on for an extension request. This was continued from the December 16, 2025 meeting.

Commissioner Maginn stated this permittee has had numerous police runs and violations at the establishment. They are currently on PACE. The corrective action plan needs to be enhanced to include information regarding how the business is going to prevent violations in the future.

Commissioner Maginn moved to approve an extension until February 3, 2026, to allow time to submit an updated corrective action plan. Commissioner Jones seconded.

Commissioner Jones stated he is reluctant because of the amount of police runs and operations at the establishment, noting twenty-five cent beers on “Thirsty Thursdays” being a problem if you are trying to prevent overservice.

Chairwoman Allen stated that because the business is on PACE and has had Excise visits, the owners should be aware of what is expected at this point. They are scheduled for the January 12th local board hearing, so what they say at that meeting and the amended corrective action plan will be very important regarding the renewal.

The motion was unanimously approved.

DL73-32384 INDY QUICK STOP INC. – Chairwoman Allen noted this is on for an extension request. This was continued from the December 16, 2025 meeting.

Commissioner Maginn stated there are still missing items for their renewal that have been requested by this office.

Commissioner Maginn moved to deny the extension request. Commissioner Jones seconded. The motion was unanimously approved.

RR45-41432 JJ BROTHERS ENTERPRISE INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the application is now complete.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RC67-18168 FRATERNAL ORDER EAGLES COVERED BRIDGE AERIE #4388 – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR10-07528 BUILT ON A DREAM LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR22-36423 BEEF OF BRADY’S FOYDS KNOBS LLC - Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated an ownership update was submitted.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR45-05607 FRICK'S RECREATION INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RC46-06831 VETERANS OF FOREIGN WARS 1130 – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve the remaining time of the 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR53-32977 FRANK VAN LANDINGHAM – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR49-05428 URBAN AMENITIES INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated this business has been administratively dissolved with the Secretary of State since 2022.

Commissioner Maginn moved to approve a 90-day extension, allowing time for the business to provide the Commission a Certificate of Existence from the Secretary of State's Office. Commissioner Jones seconded.

Commissioner Jones reminded the permittee that without a Certificate of Existence, they are subject to possible personal liability should anything happen.

The motion was unanimously approved.

RR10-02171 GUISEPPE & DOM, INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve the remainder of the 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR45-91493 GARDAHN, INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the permit does not expire until February 12th and is scheduled for the February 4th local board hearing. There is a pending violation that needs to be settled before the local board can consider the renewal.

Commissioner Maginn moved to continue this to the February 3, 2026 meeting. Commissioner Jones seconded. The motion was unanimously approved.

RR46-38767 EL CANTARITO MC LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the application is complete.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR47-40273 PUB 15, INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

****Chairwoman Allen asked the commissioners to add the following permits to the agenda by consent. Consent was granted.

RR62-38008 BANDON TAVERN LLC - Chairwoman Allen noted this is on for an extension request. The Form 1 needs to be submitted along with a Certificate of Insurance.

Chairwoman Allen moved to approve a 90-day extension conditioned upon receipt of a Certificate of Insurance, with the Form 1 to follow. Commissioner Jones seconded. The motion was unanimously approved.

RR02-36899 RIVERVIEW BOWL RE LLC - Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the application is complete.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR87-22524 DOS MAGUEY INC. - Chairwoman Allen noted this is on for an extension request.

Chairwoman Allen stated while waiting on missing items from the renewal, the current Certificate of Insurance expired. The current extension expires on January 18, 2026, so there is time for the permittee to submit a valid Certificate.

Chairwoman Allen moved to approve a 90-day extension, contingent upon receipt of an updated Certificate of Insurance. Commissioner Jones seconded. The motion was unanimously approved.

RR11-23795 MARIO BROS INC - Chairwoman Allen noted this is on for an extension request.

Chairwoman Allen stated the last extension for this permit expired on June 30, 2025. Permittee was cited for a violation for operating without a permit, which has been settled. Because the extension was expired for more than six months, a floor plan affidavit or final inspection must be submitted. Additionally, a Certificate of Insurance is needed. Chairwoman Allen also noted our records show the business operates with limited separation, but the renewal stated no limited separation. That issue must be cleared up by amending the renewal and a floor plan affidavit showing there has been no change. Or, the permittee must provide a new floor plan without limited separation and a final inspection by Excise.

Chairwoman Allen moved to grant a 90-day extension contingent upon receipt of the Certificate of Insurance and one of the two items regarding the floor plan. Commissioner Maginn seconded.

Commissioner Jones stated he was going to vote to deny, but given the motion is contingent upon receipt of those items, he will vote to approve.

Chairwoman Allen also noted that the grant may be reconsidered if the permittee is found to be operating without a valid permit again. So, the permittee is on notice that until a new extension is granted, there is no authority to sell alcoholic beverages.

The motion was unanimously approved.

INACTIVE FILES

Chairwoman Allen stated renewals were filed so #RR45-38598 was removed from the dead list.

Commissioner Maginn moved to make 12 permits dead that were previously posted on the December 16, 2025 meeting agenda. Commissioner Jones seconded. The motion was unanimously approved.

Chairwoman Allen stated there are 21 permits posted to be made dead at the January 21, 2026 meeting, who have failed to submit renewals.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

2026 AMENDED COMMISSION MEETING DATES – Chairwoman Allen stated the amended meeting dates for 2026 are:

Wednesday, January 21 (MLK, Jr. Day on the 19th)
Wednesday, May 6 (Primary Election Day on the 5th)
Wednesday, May 27 (Memorial Day on the 25th) - Escrow Hearing
Wednesday, November 4 (General Election Day on the 3)

ADJOURNMENT

Commissioner Jones moved to adjourn the meeting. Commissioner Maginn seconded. The motion was unanimously approved.

Approved the 21st day of January 2026 by a vote of 4-0.